

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LINDELL SWINSON,

Petitioner,

v.

COMMONWEALTH OF
PENNSYLVANIA, et al.,

Respondents.

Civil Action No. 07-26 Erie

MEMORANDUM ORDER

This petition for writ of habeas corpus was received by the Clerk of Court on February 21, 2007 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on March 1, 2007, recommended that the Petitioner's motion [1] for leave to proceed *in forma pauperis* be denied. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Petitioner by certified mail at SCI Albion, where he is incarcerated. Objections were filed by Petitioner on March 15, 2007. After de novo review of the petition and documents in the case, together with the Report and Recommendation and objections thereto, the following order is entered:

AND NOW, this 20th day of March, 2007;

IT IS HEREBY ORDERED that the Petitioner's motion [1] for leave to proceed *in forma pauperis* is DENIED.

The Report and Recommendation of Magistrate Judge Baxter, dated March 1, 2007, is adopted as the opinion of the Court.

/s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record.
U.S. Magistrate Judge Susan Paradise Baxter